Tomisue Hilbert June 2, 2011

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STATE OF WISCONSIN CIRCUIT COURT EAU CLAIRE COUNTY

BRANCH 2

DEBRA K. SANDS,

Plaintiff/Counter-Defendant,

-vs-

JOHN R. MENARD, JR.;
MENARD, INC.;
MENARD THOROUGHBREDS, INC.;
and MH PRIVATE EQUITY FUND,
LLC,

1

) CASE NO. 08 CV 990

Defendants/Counter-Plaintiffs.)

VIDEOTAPED DEPOSITION OF TOMISUE HILBERT

The videotaped deposition upon oral examination of TOMISUE HILBERT, a witness produced and sworn before me, Jenny L. Reeve, RPR, CSR No. 00-R-3006, a Notary Public in and for the County of Hamilton, State of Indiana, taken on behalf of the Defendants/Counter-Plaintiffs at the offices of Taft Stettinius & Hollister, 3500 One Indiana Square, Indianapolis, Marion County, Indiana, on the 2nd day of June, 2011, at 9:48 a.m., pursuant to the Wisconsin Rules of Trial Procedure, all applicable rules, all stipulations, if any, and pursuant to notice and/or agreement and/or subpoena as to time and place thereof.

Connor Reporting 1650 One American Square Indianapolis, IN 46282 (317) 236-6022



Connor Reporting

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Page 114 Page 116 AFTERNOON SESSION Q And for what period of time were you a topless 2 2 dancer. 3 THE VIDEOGRAPHER: This begins tape four. We A From the time I was about 19 to 23, off and on, not 4 are on the record. The time is 1:33. continuously. 5 5 Q Is that how you met your husband? 6 EXAMINATION BY MR. DANIEL R. SHULMAN: 6 A Yes. 7 7 Q Ms. Hilbert, would you please state your age. Q Now, you said that you were involved with various 8 8 A I am 41 years old. businesses I want to ask you about. One is Chateau 9 Q And would you state, please, your educational 9 des Palmieres? Did I get that right? 10 background. 10 A Yeah, Chateau des Palmieres. 11 A I grew up on the west side. Went to Ben Davis High 11 Q Des Palmieres. 12 School. I dropped out of school when I was in 12 A Yeah. 13 10th grade. 13 Q That is the house in the -- in St. Martin? 14 I, after that, several years after that, was 15 blessed to be tutored by some of the greatest 15 Q And the income -- the only income from that property 16 tutors, and was privately educated, and have studied 16 is rental income? under a -- a lot of great businessmen, and been 17 17 A Yes. 18 taught, and learned, by some of the best. 18 Q Are you still trying to sell it? 19 Q And do you have a high school degree? 19 A We are. 20 A I do not. In the school of hard knocks. 20 Q And it's been on the market now for how long? 21 Q And did this tutoring and being educated by 21 A Oh, I would say a year, little over a year. 22 businesspeople, was that after you met your husband? 22 Q And what -- what percentage of your time do you 23 A It was. 23 spend, can you estimate, in connection with your Q Okay. What was your -- would you state your 24 24 work for the Chateau des Palmieres? 25 employment history and experience before you met 25 A On what? Exactly what are you asking me? Page 115 Page 117 your husband. Q How much of your --A I sure can. When I was 11 years old, I got my first 2 A I'm sorry. job as a waitress. I was a -- a carhop, a waitress 3 Q How much of your working time do you spend with 4 on roller skates at Bill's Fabulous '50s. I worked 4 Chateau des Palmieres? 5 there from the time that I was 11 years old 'til I 5 A Pretty much about I would say every -- every other 6 was 18 years old. day on communications, on making sure that 7 I then became a Nascar girl, and I started 7 everything's stocked at our house, all the products, 8 doing public relations for Nascar. Would go to the 8 so if renters come, that we have everything there 9 Dayton 500 to the Talladega for the Allison family. 9 to supply. So if somebody like yourself came and 10 And then, after that, I got pregnant. I was a 10 rented it, you'd be very happy once you arrived. 11 single mother. Raised my child by myself with no 11 And make sure that everybody there is, of 12 income. And then I became a topless dancer for a 12 course, you know, coming to work. I talk with the 13 short period of time. 13 manager, make sure that everybody's doing what 14 And then, after that, I married my husband. 14 they're supposed to be doing. And so ... 15 Managed our home. Started Hilbert Thoroughbreds, 15 Q So -- and this is activity that's every other day? 16 Decatur Vein. We had a list of clinics. Built our 16 A About every other day. 17 home in St. Martin. Managed it. 17 Q How many hours would you say that takes --18 Let's see. What --18 A Not --19 Q For what --19 Q -- in a day? 20 A -- other one --20 A Not a lot. I'd say probably half an hour. 21 Q -- period of -- I'm sorry. Are you finished? 21 Q Okay. 22 A No. 22 A Just going over checklists. 23 Q Okay. 23 Q Okay. Now, you also mentioned Decatur Vein. You 24 A Or yes. Sorry. I was trying to think if I had --24 said you're the president of Decatur Vein? got any other business. 25 A Yes.

30 (Pages 114 to 117)